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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
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\*\*\*SENIOR COUNSEL

October 29, 2001

WRITER'S DIRECT NUMBER:  
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Commissioner for Patents  
Washington, D.C. 20231

Group Art Unit 1656

Re: U.S. Utility Patent Application  
Appl. No. 09/829,066; Filed: April 10, 2001  
For: **Method for Isolating and Recovering Target DNA or RNA Molecules  
Having a Desired Nucleotide Sequence**  
Inventors: Nisson *et al.*  
Our Ref: 0942.4800002/RWE/ALS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Notice of Incomplete Reply (Nonprovisional);
2. Third Preliminary Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
3. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
4. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
5. 9 pages of a paper copy of the Substitute Sequence Listing;
6. A computer readable disk copy of the Substitute Sequence Listing;

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October 29, 2001  
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7. Information Disclosure Statement;
8. Form PTO-1449 (1 sheet citing 2 documents);
9. 2 documents cited in Form PTO-1449 attached;
10. Our check no. 33014 for \$920.00 to cover:  
\$920.00 Extension of Time Fee Under 37 C.F.R. § 1.136; and
11. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

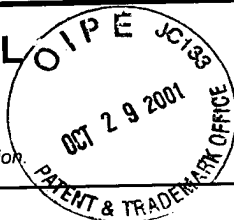


Aaron L. Schwartz  
Agent for Applicants  
Registration No. 48,181

RWE/ALS/lam  
Enclosures

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 09/829,066           |
| Filing Date          | April 10, 2001       |
| First Named Inventor | Paul E. Nisson       |
| Examiner Name        | To be assigned       |
| Group Art Unit       | 1656                 |
| Attorney Docket No.  | 0942.4800002/RWE/ALS |

**TOTAL AMOUNT OF PAYMENT**(\$)**920.00****METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

|                        |   |
|------------------------|---|
| Deposit Account Number | 19-0036                                   |
| Deposit Account Name   | Sterne, Kessler, Goldstein & Fox P.L.L.C. |

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 112            | 160             | 214            | 80              | Provisional filing fee |          |

**SUBTOTAL (1) (\$)** 0.00**2. EXTRA CLAIM FEES**

|                                   | Extra | Fee from below | Fee Paid |
|-----------------------------------|-------|----------------|----------|
| Total Claims _____ - 20** = _____ | X     |                |          |
| Indep. Claims _____ - 3** = _____ | X     |                |          |
| Multiple Dependent _____          |       |                |          |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |
| 104            | 280             | 204            | 140             | Multiple dependent claim                                  |
| 108            | 84              | 209            | 42              | **Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2) (\$)** 0.00

\*\* or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES (continued)****Large Entity Small Entity**

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee paid |
|----------|----------|----------|----------|--|----------|
| 105      | 130      | 205      | 65       | Surcharge - late filing fee or oath  |          |
| 127      | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139      | 130      | 139      | 130      | Non-English specification  |          |
| 147      | 2,520    | 147      | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112      | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110      | 215      | 55       | Extension for reply within first month                                     |          |
| 116      | 400      | 216      | 200      | Extension for reply within second month                                    |          |
| 117      | 920      | 217      | 460      | Extension for reply within third month                                     | 920.00   |
| 118      | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |          |
| 128      | 1,960    | 228      | 980      | Extension for reply within fifth month                                     |          |
| 119      | 320      | 219      | 160      | Notice of Appeal   |          |
| 120      | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |          |
| 121      | 280      | 221      | 140      | Request for oral hearing   |          |
| 138      | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140      | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
| 141      | 1,280    | 241      | 640      | Petition to revive - unintentional   |          |
| 142      | 1,280    | 242      | 640      | Utility issue fee (or reissue)   |          |
| 143      | 460      | 243      | 230      | Design issue fee   |          |
| 144      | 620      | 244      | 310      | Plant issue fee  |          |
| 122      | 130      | 122      | 130      | Petitions to the Commissioner  |          |
| 123      | 130      | 123      | 130      | Petitions related to provisional applications                              |          |
| 126      | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581      | 40       | 481      | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146      | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149      | 740      | 249      | 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179      | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
| 169      | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 920.00**SUBMITTED BY****Complete (if applicable)**

|                   |                   |                                   |          |           |              |
|-------------------|-------------------|-----------------------------------|----------|-----------|--------------|
| Name (Print/Type) | Aaron L. Schwartz | Registration No. (Attorney/Agent) | 48,181   | Telephone | 202-371-2600 |
| Signature         |                   | Date                              | 10/29/01 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.